REAL ESTATE COMMITTEE AGENDA REAL ESTATE COMMITTEE MEETING OF: APRIL 15, 2002

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: COUNCILMEMBERS MACK and WEEKLY

Also Present: DEPUTY CITY MANAGER STEVE HOUCHENS, DEPUTY CITY MANAGER DOUG SELBY, DEPUTY CITY MANAGER BETSY FRETWELL, DEPUTY CITY ATTORNEY TERESITA PONTICELLO, REAL ESTATE AND ASSET MANAGEMENT MANAGER DAVID ROARK, CITY CLERK BARBARA JO RONEMUS, and DEPUTY CITY CLERK GABRIELA S. PORTILLO-BRENNER

ANNOUNCEMENT MADE – Meeting noticed and posted at the following locations: Las Vegas Library, 833 Las Vegas Boulevard North Senior Citizens Center, 450 E. Bonanza Road Clark County Government Center, 500 S. Grand Central Pkwy Court Clerk's Bulletin Board, City Hall City Hall Plaza, Posting Board

(4:26)

AGENDA SUMMARY PAGE REAL ESTATE COMMITTEE MEETING OF: APRIL 15, 2002

DEPARTMENT: BUSINESS DEVELORED LESA CODER	LOPMENT X DISCUSSION
SUBJECT:	
REPORT FROM REAL ESTATE COM	MMITTEE: Councilmen Mack and Weekly
1 0	g Retail Holdings One, LLC request to extend Close of
•	Enterprise Park (\$633,160.50 revenue - Industrial Revenue
Fund) - Ward 5 (Weekly)	
Fiscal Impact	
No Impact	Amount: \$633,160.50
Budget Funds Available	Dept./Division: OBD/Economic Development Div.
Augmentation Required	Funding Source: Industrial Revenue Fund

PURPOSE/BACKGROUND:

This item is to extend the Close of Escrow date by sixty (60) days for Purchase and Sale Agreement of 2 acre and 2.3 acre parcels located in Las Vegas Enterprise Park.

RECOMMENDATION:

Staff recommends approval.

BACKUP DOCUMENTATION:

- 1. Agenda Memo
- 2. Locator Map
- 3. Disclosure of Ownership/Principals
- 4. Letter of Request

COMMITTEE RECOMMENDATION:

COUNCILMAN WEEKLY recommended that this item be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN MACK concurred.

MINUTES:

COUNCILMAN MACK declared the Public Hearing open.

LESA CODER, Director of the Office of Business Development, explained that this is simply a 60-day extension of the close of escrow for the trade school and barber college located west of Lake Mead and Martin Luther King. Staff has no objection to the extension.



REAL ESTATE COMMITTEE MEETING OF APRIL 15, 2002 Public Works

Item 1 - Discussion and possible action regarding Retail Holdings One, LLC request to extend Close of Escrow date for land in the Las Vegas Enterprise Park

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

COUNCILMAN MACK declared the Public Hearing closed.

(4:26-4:27)

AGENDA SUMMARY PAGE REAL ESTATE COMMITTEE MEETING OF: APRIL 15, 2002

	REAL ESTATE COMM	TITLE WEETING OF. APRIL 13, 2002
DEPA	RTMENT: BUSINESS DEVEL	OPMENT
DIREC	TOR: LESA CODER	CONSENT X DISCUSSION
SUBJE REPOR		IMITTEE - Councilmen Mack and Weekly
lease for of Vete	or real property between City of L rans Affairs for land in the Las V	y Veterans Administration's notice to renew a one year as Vegas and U.S. Government through the Department Yegas Enterprise Park and waive the ninety (90) day revenue - Industrial Revenue Fund) - Ward 5 (Weekly)
<u>Fiscal</u>	<u>Impact</u>	
	No Impact	Amount: \$1 Annual lease rent
	Budget Funds Available	Dept./Division: OBD/Economic Development Div.
	Augmentation Required	Funding Source: Industrial Revenue Fund
DUDD		

PURPOSE/BACKGROUND:

This item is intended to extend the lease of 3.228 acres of land in the Las Vegas Enterprise Park to the U.S. Government to allow the selection of developer to build a 41,000 sq. ft., two-story office facility for the Veterans Benefits Administration.

RECOMMENDATION:

Staff recommends approval

BACKUP DOCUMENTATION:

- 1. Agenda Memo
- 2. Lease Agreement (Dated May 4, 2001)
- 3. Site Map
- 4. Letter from Leo A. Phelan, Dept. Veterans Affairs (Dated March 18, 2002)
- 5. Letter from Anthony J. Principi, Dept. of Veterans Affairs to Hon. Robert C. Byrd, U. S. Senate (Dated February 22, 2002)

COMMITTEE RECOMMENDATION:

COUNCILMAN WEEKLY recommended that this item be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN MACK concurred.

MINUTES:



REAL ESTATE COMMITTEE MEETING OF APRIL 15, 2002 Public Works

Item 2 - Discussion and possible action regarding Veterans Administration's notice to renew a one year lease for real property between City of Las Vegas and U.S. Government through the Department of Veterans Affairs for land in the Las Vegas Enterprise Park and waive the ninety (90) day notice requirement

MINUTES – Continued:

LESA CODER, Director of the Office of Business Development, stated that this is an extension of time for up to one year for the Veterans Administration expansion, to which staff has no objection.

TOM McGOWAN, Las Vegas resident, questioned actions taken to monitor and enforce building safety requirements, compliance and necessary repairs. The building is collapsing. If the City has taken no action, he asked why not.

COUNCILMAN WEEKLY discussed with DEPUTY CITY MANAGER SELBY that the matter will be addressed during the April 17, 2002 Council meeting.

No one appeared in opposition.

There was no further discussion.

COUNCILMAN MACK declared the Public Hearing closed.

(4:27-4:30)



	NEAL LOTATE OCITION	THE MEETING OF A RIE 10, 2002
DEPAR	RTMENT: PUBLIC WORKS	
DIRECT	TOR: RICHARD D. GOECH	KE CONSENT X DISCUSSION
SUBJE	ECT:	
REPOR	T FROM REAL ESTATE COM	MITTEE - Councilmen Mack and Weekly
Discuss	ion and possible action regarding	g a Revocable License Agreement between the City of
Las Veg	gas (City) and Howard Hughes Pr	operties, Inc. (HHP) to grant the City use and
progran	nming rights for two baseball field	ds and a pool facility referred to as Arbors Sports Park
built by	HHP on Parcel # 137-35-501-00	4 - Ward 2 (L.B. McDonald)
<u>Fiscal</u>	<u>Impact</u>	
X	No Impact	Amount:
	Budget Funds Available	Dept./Division:
	Augmentation Required	Funding Source:
	•	•

PURPOSE/BACKGROUND:

HHP has completing the construction of two (2) baseball fields and will be completing the construction of an Olympic size swimming facility in May. HHP has proposed that these facilities be conveyed to the City in exchange for the City conveying Trails Pool to HHP. In order for the Department of Leisure Services to redirect their pool programming activity to this location for the summer months, the department would need possession of the pool by May. This License Agreement would grant them this temporary access while a more permanent agreement and legal work is performed.

RECOMMENDATION:

Staff recommends approval subject to a permanent agreement being approved in concept by the Las Vegas City Council.

BACKUP DOCUMENTATION:

Revocable License Agreement

COMMITTEE RECOMMENDATION:

COUNCILMAN WEEKLY recommended that this item be forwarded to the Full Council with no recommendation. COUNCILMAN MACK concurred.

NOTE: DEPUTY CITY MANAGER FRETWELL indicated that related Items 3, 4, and 5 should reflect both Ward 2 and Ward 4, as both will be impacted.

MINUTES:

REAL ESTATE COMMITTEE MEETING OF APRIL 15, 2002 Public Works

Item 3 - Discussion and possible action regarding a Revocable License Agreement between the City of Las Vegas (City) and Howard Hughes Properties, Inc. (HHP) to grant the City use and programming rights for two baseball fields and a pool facility referred to as Arbors Sports Park built by HHP on Parcel # 137-35-501-004

MINUTES – Continued:

DAVID ROARK, Manager of Real Estate and Asset Management, requested that Items 3, 4 and 5 be discussed together. The first two items for revocable license agreements are contingent upon the land exchange at issue in Item 5. The exchange is between the City and Howard Hughes. The pool being constructed by Howard Hughes is scheduled to be completed in 30 days or less. The Veterans Memorial Recreational Center park site surrounding that pool includes a tot lot, picnic tables, rotunda, sidewalks, 200- to 225-space parking lot and 2 baseball fields. That land would be traded for the land and pool at the Trails Park location. Summerlin currently has control of All Trails Park and only the pool would be traded in this exchange. There is also a bathhouse at this location, along with the Palo Verde location.

This would create the exchange and make the City responsible for staffing and programming at Palo Verde. Howard Hughes would take responsibility for staffing and programming at the Trails pool. Staff is seeking direction from the Council of this proposal, but the agreements are subject to change by Howard Hughes. Should changes be made, the final agreements will be brought back to this Committee as well as the Council. The project is time-sensitive as to programming by Leisure Services. He recommended that the three items go forward to full Council will no recommendation.

COUNCILMAN MACK encouraged staff to resolve the remaining issues prior to coming before the full Council. DEPUTY CITY MANAGER FRETWELL advised that the intent is to present the North Parks Agreement before the City Council on May 1, 2002; therefore, staff will request that these three items be abeyed at the April 17, 2002 Council meeting. However, because of the time-sensitive nature of the summer programming issues at the Palo Verde Olympic-size pool, all three items will require action on May 1, 2002. MR. ROARK added that the funding source should be corrected to General Fund.

No one appeared in opposition.

There was no further discussion.

COUNCILMAN MACK declared the Public Hearing closed.

(4:30-4:37)



	NEAL LOTATE COMMIN	TILL MELTING OI : AFRIC 13, 2002
DEPAR	RTMENT: PUBLIC WORKS	
DIREC	TOR: RICHARD D. GOECH	CONSENT X DISCUSSION
SUBJECT: REPORT FROM REAL ESTATE COMMITTEE - Councilmen Mack and Weekly		
Discussion and possible action regarding a Revocable License Agreement between the City of Las Vegas (City) and Howard Hughes Properties, Inc. (HHP) to grant to HHP the use of a pool facility located at Trails Park, 1920 Spring Gate Lane - Ward 2 (L.B. McDonald)		
<u>Fiscal</u>	<u>Impact</u>	
X	No Impact	Amount:
	Budget Funds Available	Dept./Division:
	Augmentation Required	Funding Source:
Fiscal	Impact No Impact Budget Funds Available	Amount: Dept./Division:

PURPOSE/BACKGROUND:

HHP has proposed to the City that HHP convey two baseball fields and an Olympic size pool facility located near Veteran Memorial Recreation Center in exchange for the City conveying the Trails Pool facility located at Trails Park. This License Agreement would allow the exchange to occur in May so programming needs could be accomplished for the summer months by the Department of Leisure Services.

RECOMMENDATION:

Staff recommends approval subject to a permanent agreement being approved in concept by the Las Vegas City Council to facilitate a permanent exchange of properties.

BACKUP DOCUMENTATION:

Revocable License Agreement

COMMITTEE RECOMMENDATION:

COUNCILMAN WEEKLY recommended that this item be forwarded to the Full Council with no recommendation. COUNCILMAN MACK concurred.

NOTE: DEPUTY CITY MANAGER FRETWELL indicated that related Items 3, 4, and 5 should reflect both Ward 2 and Ward 4, as both will be impacted.

MINUTES:

City of Las Vegas

REAL ESTATE COMMITTEE MEETING OF APRIL 15, 2002 Public Works

Item 4 - Discussion and possible action regarding a Revocable License Agreement between the City of Las Vegas (City) and Howard Hughes Properties, Inc. (HHP) to grant to HHP the use of a pool facility located at Trails Park, 1920 Spring Gate Lane

MINUTES – Continued:

No one appeared in opposition.

NOTE: See related Item 3 for discussion.

COUNCILMAN MACK declared the Public Hearing closed.

(4:30-4:37)

1-105



	REAL ESTATE COMMITTEE MEETING OF: APRIL 15, 2002	
DEPA	RTMENT: PUBLIC WORKS	
DIREC	TOR: RICHARD D. GOEC	KE CONSENT X DISCUSSION
011D 11		
<u>SUBJE</u>	<u>=C1:</u>	
REPOF	RT FROM REAL ESTATE CON	MMITTEE - Councilmen Mack and Weekly
of Las 'located \$500,00	Vegas (City) and The Howard H near Veterans Memorial Leisure	g a Real Property Exchange Agreement between the City ughes Corporation (THHC) for the exchange of facilities e Services Center and Trails Park (Not to exceed Projects) - Ward 2 (L.B. McDonald)
	No Impact	Amount: Not to exceed \$500,000
X	Budget Funds Available	Dept./Division: Public Works/Real Estate
		•
	Augmentation Required	Funding Source: Parks CIP

PURPOSE/BACKGROUND:

THHC has proposed to the City that an exchange of properties take place between the two entities. THHC will grant ownership of a new Olympic size swimming facility, ownership of lighted sports ball fields, and convey title to land under which Veterans Memorial Leisure Services Center resides along with a tot lot and a parking lot in exchange for the City giving THHC ownership of a pool facility at Trails Park and paying for the renovation and repair of the pool not to exceed \$500,000 in order to bring the facility up to "new" condition standards.

RECOMMENDATION:

Staff requests that the Las Vegas City Council direct staff as to whether staff should pursue discussion and approval of THHC for this Real Property Exchange Agreement.

BACKUP DOCUMENTATION:

Real Property Exchange Agreement

COMMITTEE RECOMMENDATION:

COUNCILMAN WEEKLY recommended that this item be forwarded to the Full Council with no recommendation. COUNCILMAN MACK concurred.

NOTE: DEPUTY CITY MANAGER FRETWELL indicated that related Items 3, 4, and 5 should reflect both Ward 2 and Ward 4, as both will be impacted.

MINUTES:

REAL ESTATE COMMITTEE MEETING OF APRIL 15, 2002 Public Works

Item 5 - Discussion and possible action regarding a Real Property Exchange Agreement between the City of Las Vegas (City) and The Howard Hughes Corporation (THHC) for the exchange of facilities located near Veterans Memorial Leisure Services Center and Trails Park

MINUTES – Continued:

DAVID ROARK, Manager of Real Estate and Asset Management, requested that Items 3, 4 and 5 be discussed together.

No one appeared in opposition.

NOTE: See related Item 3 for discussion.

COUNCILMAN MACK declared the Public Hearing closed.

(4:30-4:37)

1-105



REAL ESTATE COMMITTEE MEETING OF. APRIL 19, 2002		
DEPA	RTMENT: BUSINESS DEVEL	OPMENT
DIREC.	TOR: LESA CODER	CONSENT X DISCUSSION
<u>SUBJE</u>	ECT:	
REPOR	RT FROM REAL ESTATE COM	MITTEE - Councilmen Mack and Weekly
Discuss	sion and possible action to author	ize the City Manager to execute a U.S. Government
Lease for	or Real Property with the U.S. Ge	eneral Services Administration for the Federal Building
and Pos	st Office located at 301 Stewart A	venue (APN#139-34-501-002) - Ward 5 (Weekly)
<u>Fiscal</u>	Impact	
X	No Impact	Amount:
	Budget Funds Available	Dept./Division:
	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

As a condition to the conveyance of the deed for the Federal Building and Post Office (the Post Office) from the U.S. General Services Administration (GSA) to the City, the GSA will lease back space in the Post Office currently occupied by the U.S. Postal Service, Social Security Adm. and U.S. Tax Court. The term of the lease will end in December 2004 unless the GSA, the tenants and the City mutually agree upon acceptable locations for relocation prior to the end of the lease.

RECOMMENDATION:

Authorize City Manager to execute an agreement approved by City Attorney as to form

BACKUP DOCUMENTATION:

- 1. Agenda memo
- 2. Lease Agreement
- 3. Site map

COMMITTEE RECOMMENDATION:

COUNCILMAN WEEKLY recommended that this item be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN MACK concurred.

MINUTES:

City of Las Vegas

REAL ESTATE COMMITTEE MEETING OF APRIL 15, 2002

Public Works

Item 6 - Discussion and possible action to authorize the City Manager to execute a U.S. Government Lease for Real Property with the U.S. General Services Administration for the Federal Building and Post Office located at 301 Stewart Avenue

MINUTES – Continued:

LESA CODER, Director of the Office of Business Development, requested that Items 6 and 7 be discussed together. There has been past discussion regarding budget items, programming and phasing in park property for the downtown urban park. There will be a presentation April 17, 2002 to the full Council regarding related issues. These two items are the technical steps that allow the transfer of the Post Office building and its surrounding properties. Staff recommends approval, with an amendment to Section 11 of the deed, which replaces the language in the first portion of the paragraph pertaining to lead-based paint elimination. The new language in the deed agrees that the improvements on the property will not be used as residential dwellings. The revisions have been reviewed and approved by the City Attorney's office.

TOM McGOWAN, a Las Vegas resident, outlined a concern with providing necessary postal services downtown. If such a provision was not made for such services, why not. MS. CODER clarified that the lease agreement maintains the existing tenants, including the postal office. Any relocation would require a renegotiation of the lease and approval by this Council.

MR. McGOWAN indicated that he is satisfied with the response, but the responsibility rests with the City Council and staff to provide for the quality of life and related services for downtown residents, especially seniors and the disabled.

No one appeared in opposition.

There was no further discussion.

COUNCILMAN MACK declared the Public Hearing closed.

(4:37-4:43)



	INDINE CONTRACTOR	1122 M221M3 31.74 Ri2 13, 2332
DEPA	RTMENT: BUSINESS DEVEL	OPMENT
DIREC	TOR: LESA CODER	CONSENT X DISCUSSION
SUBJE	ECT:	
REPOR	T FROM REAL ESTATE COM	MITTEE - Councilmen Mack and Weekly
Discuss	sion and possible action to discuss	s programming and pre-authorize the Mayor to accept on
behalf o	of the City a Deed, (so long as in s	substantially the form proposed) from the U.S. General
Services Administration to convey ownership of the Federal Building and Post Office to the City		
of Las Vegas located at 301 Stewart Avenue (APN#139-34-501-002) - Ward 5 (Weekly)		
<u>Fiscal</u>	<u>Impact</u>	
X	No Impact	Amount:
	Budget Funds Available	Dept./Division:
	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The Deed from U.S. General Services Administration (GSA) will convey ownership of the Federal Building and Post Office (the Post Office) to the City. Upon execution of the Deed, the City will accept ownership, as well as, the operations and maintenance costs for the Post Office. Through a provision in the Deed, the GSA will lease back space currently occupied by the U.S. Postal Service, Social Security Adm. and U.S. Tax Court. The initial lease rent payments are greater than the actual FY 2001 operations and maintenance costs. The Department of Leisure Services will analyze reuse scenarios and their range of benefits and impacts.

RECOMMENDATION:

Pre-authorize Mayor to accept on behalf of the City a Deed, (so long as in substantially the form proposed) from the GSA to convey ownership of the Federal Building and Post Office to the City of Las Vegas.

BACKUP DOCUMENTATION:

- 1. Agenda memo
- 2. Proposed Deed
- 3. Post Office programming
- 4. Site map

COMMITTEE RECOMMENDATION:

COUNCILMAN WEEKLY recommended that this item be forwarded to the Full Council with a "Do Pass" recommendation subject to the language revision. COUNCILMAN MACK concurred.

REAL ESTATE COMMITTEE MEETING OF APRIL 15, 2002 Public Works

Item 7 - Discussion and possible action to discuss programming and pre-authorize the Mayor to accept on behalf of the City a Deed, (so long as in substantially the form proposed) from the U.S. General Services Administration to convey ownership of the Federal Building and Post Office to the City of Las Vegas located at 301 Stewart Avenue

MINUTES:

COUNCILMAN MACK declared the Public Hearing open.

No one appeared in opposition.

NOTE: See related Item 6 for discussion.

COUNCILMAN MACK declared the Public Hearing closed.

(4:37-4:43)

1-333

REAL ESTATE COMMITTEE AGENDA REAL ESTATE COMMITTEE MEETING OF: APRIL 15, 2002

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

MINUTES:

TOM McGOWAN complimented the Committee on allowing public comment on all items. However, he protested that public comment is then limited during the City Council meeting. This is a violation of the spirit of the Open Meeting Law in that the Committee is advisory and the ultimate decision is made by the full Council at the City Council meeting. Therefore, he expressed a belief that the Committee is a waste of time. A majority of the City Council should require a change to the procedure. Should they not do so, the public should demand the Legislature step in and correct the situation. The Open Meeting Law is not for the convenience of the government, but to provide fully accessible government for the people. Citizens Participation is equal to every other item on an agenda. He urged the City either comply with the spirit of the law or stop alleging they are in compliance when they are not. He submitted his written comments

(4:43 – 4:48) **1-525**

THE MEETING ADJOURNED AT 4:48 P.M.

Respectfully submitted:	
	GABRIELA S. PORTILLO-BRENNER
	May 1, 2002